United Nations A/C.5/58/L.58

General Assembly

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12 March 2004

Original: English

Fifty-eighth session
Fifth Committee
Agenda item 120
Programme budget for the biennium 2002-2003

Draft resolution submitted by the Chairman following informal consultations

Report of the Joint Inspection Unit on support costs related to extrabudgetary activities in organizations of the United Nations system

The General Assembly,

Recalling its decision 58/560 of 23 December 2003,

Having considered the report of the Joint Inspection Unit on support costs related to extrabudgetary activities in organizations of the United Nations system,[1] the note by the Secretary-General transmitting his comments and those of the United Nations System Chief Executives Board for Coordination thereon[2] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[3] as well as the note by the Joint Inspection Unit[4] submitted in response to General Assembly decision 58/560 clarifying further some of the recommendations contained in its report,

1. *Concurs* with the observations and recommendations of the Advisory Committee on Administrative and Budgetary Questions contained in its report,[3] subject to the provisions of the present resolution;

2. *Takes note* of the comments of the Secretary-General and those of the United Nations System Chief Executives Board for Coordination;[2]

3. *Endorses* the recommendations contained in the report of the Joint Inspection Unit on support costs related to extrabudgetary activities in organizations of the United Nations system[1] to the extent that they apply to the United Nations, subject to the provisions of the present resolution;

[1] See A/57/442.
[2] A/57/442/Add.1.
[3] A/57/434, paras. 5 and 6.
[4] A/58/714.

04-26915 (E) 150304

4. *Recognizes* that recommendations 2, 3, 5, 6, 8 and 10 are directed to executive heads, and invites executive heads to consider those recommendations;

5. *Takes note* of recommendation 1, and agrees with the Joint Inspection Unit that governing bodies should take the steps they consider necessary to ensure that extrabudgetary resources are accepted for purposes that are consistent with programme priorities and approved mandates;

6. *Also takes note* of recommendation 4, and draws the attention of legislative organs to the practice of the United Nations Children's Fund under which interest earned on some extrabudgetary contributions is retained by the Organization, and invites them to consider the applicability or relevance of this practice to them;

7. *Further takes note* of recommendation 9, and agrees with the Joint Inspection Unit that legislative organs should enact support cost policies to ensure that extrabudgetary resources continue to be mobilized and deployed effectively to further the mandated activities in developmental, humanitarian and other substantive areas, and also agrees that those policies should be straightforward, transparent, easy to administer and must provide for a consistent and equitable approach to special arrangements.

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General Assembly

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Fifty-eighth session
Fifth Committee
Agenda item 134
Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations

Draft decision submitted by the Chairman following informal consultations

Participation of United Nations Volunteers in peacekeeping operations

The General Assembly decides to defer to its fifty-ninth session consideration of the report of the Secretary-General on the participation of United Nations Volunteers in peacekeeping operations[1] and the report of the Advisory Committee on Administrative and Budgetary Questions thereon.[2]

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[1] A/55/697.
[2] A/55/874, paras. 41-45.

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General Assembly

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Fifth Committee
Fifty-eighth session
Agenda items 131 and 132

Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

Draft resolution submitted by the Chairman following informal consultations

Review of the Office of the Prosecutor at the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia

The General Assembly,

Recalling its resolutions 48/218 B of 29 July 1994 and 54/244 of 23 December 1999,

Recalling also its resolutions 57/289 of 20 December 2002, 58/253 and 58/255 of 23 December 2003,

Having considered the report of the Office of Internal Oversight Services on the review of the Office of the Prosecutor at the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia,[1]

Takes note of the report of the Office of Internal Oversight Services on the review of the Office of the Prosecutor at the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia.[1]

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[1] See A/58/677.

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General Assembly

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Fifty-eighth session
Fifth Committee
Agenda item 121
Programme budget for the biennium 2004-2005

Draft decision submitted by the Chairman following informal consultations

Capital master plan

The General Assembly:

(a) Decides to postpone consideration of the issue of financing the capital master plan to the second part of its resumed fifty-eighth session, and requests the Secretary-General to update section IV, entitled "sources of funding, financing options and commercial borrowing", of his report on the capital master plan dated 28 June 2000[1] and to update his report on the status of possible funding arrangements for the capital master plan;[2]

(b) Requests the Secretary-General to submit to the General Assembly during the second part of its resumed fifty-eighth session all the outstanding reports requested in its resolution 57/292 of 20 December 2002.

[1] A/55/117.
[2] A/58/729.

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United Nations A/C.5/58/L.62

General Assembly

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29 March 2004

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Fifth Committee
Fifty-eighth session
Agenda item 129
Joint Inspection Unit

Draft resolution submitted by the Chairman following informal consultations

Reports of the Joint Inspection Unit

The General Assembly,

Reaffirming its previous resolutions on the Joint Inspection Unit, in particular resolutions 50/233 of 7 June 1996, 54/16 of 29 October 1999, 55/230 of 23 December 2000, 56/245 of 24 December 2001 and 57/284 of 20 December 2002,

Having considered the report of the Joint Inspection Unit for 2002,[1] the note by the Secretary-General transmitting the programme of work of the Unit for 2003,[2] the note by the Secretary-General transmitting the preliminary listing of reports for potential inclusion in the programme of work of the Unit for 2004 and beyond,[3] the report of the Secretary-General on the implementation of the recommendations of the Unit,[4] the note by the Secretary-General transmitting the report of the Unit on the preliminary review of its statute and working methods[5] and notes by the Secretary-General transmitting the reports of the Unit on the in-depth review of its statute and working methods,[6]

1. *Takes note with appreciation* of the report of the Joint Inspection Unit for 2002;[1]

2. *Takes note* of the note by the Secretary-General transmitting the programme of work of the Unit for 2003;[2]

3. *Also takes note* of the note by the Secretary-General transmitting the preliminary listing of reports for potential inclusion in the programme of work of the Unit for 2004 and beyond;[3]

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[1] *Official Records of the General Assembly, Fifty-eighth Session Supplement No. 34* (A/58/34).
[2] A/58/64.
[3] A/58/291.
[4] A/58/220.
[5] A/58/343.
[6] A/58/343/Add.1 and 2.

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4. *Further takes note* of the report of the Secretary-General on the implementation of the recommendations of the Unit;[4]

5. *Takes note with appreciation* of the active contribution of the Joint Inspection Unit to the review of its statute and working methods;[5,6]

6. *Welcomes* the internal reform process undertaken by the Unit, including its strategic framework and its internal working procedures, and urges the Unit to continue these efforts;

7. *Requests* the secretariats of the United Nations and all participating organizations to facilitate the work of the Unit, including in particular through offering full access to all information, as required by the Unit;

8. *Reiterates once again* its request to the executive heads of the participating organizations that have not yet done so to take the steps necessary to facilitate the consideration of and action on the system of follow-up to the reports of the Unit, and invites the legislative organs concerned to consider the system and take action in that regard;

9. *Decides* to revert to the issue of the reform of the Joint Inspection Unit at its fifty-ninth session.

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General Assembly

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30 March 2004

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Fifty-eighth session
Fifth Committee
Agenda item 134
Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations

Draft resolution submitted by the Chairman following informal consultations

Implementation of paragraph 3 of General Assembly resolution 57/323

The General Assembly,

Recalling its resolution 57/323 of 18 June 2003,

Having considered the note by the Secretary-General on the implementation of paragraph 3 of General Assembly resolution 57/323[1] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[2]

1. *Takes note* of the proposal by the Secretary-General[3] and the related report of the Advisory Committee on Administrative and Budgetary Questions;[2]

2. *Decides* to postpone the return of the remaining 50 per cent of the net cash available for credit to Member States as at 30 June 2002, in the amount of 84,446,000 United States dollars, in respect of the fund balances of the United Nations Mission in Haiti; the United Nations Observer Group in Central America and the United Nations Observer Mission in El Salvador; the United Nations Preventive Deployment Force; the United Nations Protection Force, the United Nations Confidence Restoration Operation in Croatia, the United Nations Preventive Deployment Force and the United Nations Peace Forces headquarters; the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium and the Civilian Police Support Group; the United Nations Angola Verification Mission and the United Nations Observer Mission in Angola; the United Nations Observer Mission Uganda-Rwanda and the United Nations

[1] A/58/723.
[2] A/58/732.
[3] See A/58/723, para. 6.

04-29025 (E) 300304

Assistance Mission for Rwanda; the United Nations Mission of Observers in Tajikistan; the United Nations Transition Assistance Group; and the United Nations Observer Mission in Liberia until 30 June 2004;

3. *Also decides* that credits or disbursements to Member States may be made at the discretion of the Member State concerned as from 1 July 2004;

4. *Encourages* Member States owed credits for the closed peacekeeping mission accounts to apply those credits to any accounts where the Member State concerned has outstanding assessed contributions.

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General Assembly

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31 March 2004

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Fifty-eighth session
Fifth Committee
Agenda item 127
Human resources management

Draft resolution submitted by the Chairman following informal consultations

Human resources management

The General Assembly,

Reaffirming the Charter of the United Nations, in particular articles 101 and 97,

Reaffirming also the United Nations Staff Regulations and Rules,

Reaffirming further the prerogative of Member States to supplement or amend the regulations, in accordance with regulation 12.1 of the Staff Regulations,

Reaffirming that the Secretary-General, as the Chief Administrative Officer of the Organization, shall provide and enforce staff rules consistent with the broad principles of personnel policy for the staffing and administration of the Secretariat,

Reaffirming also that all provisional rules and/or amendments to the Staff Rules should be consistent with the intent and purposes of the Staff Regulations and should be reported to the General Assembly in accordance with regulation 12.3,

1. *Notes* the practice in the Organization of determining personal status for the purpose of entitlements as are set out in the Staff Regulations and Rules of the United Nations by reference to the law of nationality of the staff member concerned;

2. *Invites* the Secretary-General to reissue Secretary-General's bulletin ST/SGB/2004/4 after reviewing its contents, taking into account the views and concerns expressed by Member States thereon;[1]

3. *Notes* the absence of the terms referred to in paragraph 4 of the bulletin in the context of the existing Staff Regulations and Rules, and decides that inclusion of these terms shall require the consideration of and necessary action by the General Assembly.

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[1] See A/C.5/58/SR.32, 35, 38 and ___.

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Fifty-eighth session
Fifth Committee
Agenda item 121
Programme budget for the biennium 2004-2005

Draft resolution submitted by the Chairman following informal consultations

Special Court for Sierra Leone

The General Assembly,

Having considered the report of the Secretary-General on the request for a subvention to the Special Court for Sierra Leone[1] submitted in the response to the exchange of letters between the Secretary-General[2] and the President of the Security Council and the related report of the Advisory Committee on Administrative and Budgetary Questions,[3]

1. *Endorses* the conclusions and recommendations of the Advisory Committee contained in its report[3] subject to the provisions of the present resolution, and in this regard requests the Secretary-General to provide the necessary report to the General Assembly at its fifty-ninth session;

2. *Authorizes* the Secretary-General, as an exceptional measure, to enter into commitments in an amount not to exceed 16,700,000 United States dollars to supplement the financial resources of the Special Court for Sierra Leone for the period from 1 July to 31 December 2004, on the understanding that any regular budget funds appropriated for the Court would be refunded to the United Nations at the time of liquidation of the Court should sufficient voluntary contributions be received;

3. *Requests* the Secretary-General, in concert with the Management Committee, to redouble efforts to raise voluntary contributions to support the work of the Court, and to report to the General Assembly at its fifty-ninth session on progress made;

4. *Appeals* to Member States, as a matter of urgency, to contribute voluntary funds in support of the Court and to honour existing pledges;

[1] A/58/733.
[2] S/2004/182 and S/2004/183.
[3] A/58/7/Add.30.

04-29019 (E) 300304

5. *Notes* that the Court is expected to complete its work by 31 December 2005;

6. *Requests* the Secretary-General to invite the Special Court for Sierra Leone to adopt a completion strategy, and also requests the Secretary-General to inform the Security Council and the General Assembly at its fifty-ninth session about this matter;

7. *Invites* the Management Committee to review the structure of the Court with a view to minimizing the cost of completing the Court's work, without adversely affecting the implementation of the legal agreement between the United Nations and the Government of Sierra Leone.

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General Assembly

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1 April 2004

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Fifty-eighth session
Fifth Committee
Agenda item 119
Review of the efficiency of the administrative and financial functioning of the United Nations

Draft decision submitted by the Chairman

Questions deferred for future consideration

The General Assembly decides to defer to its fifty-ninth session consideration of the following agenda items and related documents:

Item 119
Review of the efficiency of the administrative and financial functioning of the United Nations

(a) Note by the Secretary-General transmitting the report of the Office of Internal Oversight Services on strengthening the investigation functions in the United Nations;[1]

(b) Report of the Secretary-General on the implementation of the recommendations of the Office of Internal Oversight Services on the Investment Management Service of the United Nations Joint Staff Pension Fund;[2]

(c) Report of the Secretary-General on the United Nations system common services at Geneva;[3]

Item 127
Human resources management

(d) Report of the Secretary-General on the composition of the Secretariat;[4]

(e) Report of the Secretary-General on the list of staff of the United Nations Secretariat;[5]

[1] A/58/708.
[2] A/58/725.
[3] A/58/439.
[4] A/58/666.
[5] A/C.5/58/L.13.

04-29374 (E) 010404

(f) Report of the Secretary-General on amendments to the Staff Rules;[6]

(g) Note by the Secretary-General transmitting the report of the Office of Internal Oversight Services on possible discrimination due to nationality, race, sex, religion and language in recruitment, promotion and placement;[7]

(h) Note by the Secretary-General transmitting the comments of the Joint Inspection Unit on the report of the Office of Internal Oversight Services on possible discrimination due to nationality, race, sex, religion and language in recruitment, promotion and placement;[8]

Item 130
Report of the Secretary-General on the activities of the Office of Internal Oversight Services

(i) Note by the Secretary-General transmitting the annual report of the Office of Internal Oversight Services for the period from 1 July 2002 to 30 June 2003;[9]

(j) Note by the Secretary-General transmitting the report of the Office of Internal Oversight Services on the audit of the functioning of the Headquarters Committee on Contracts;[10]

(k) Note by the Secretary-General transmitting the report of the Office of Internal Oversight Services on the review of the structure and operations of United Nations information centres.[11]

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[6] A/58/283.
[7] A/56/956.
[8] A/56/956/Add.1.
[9] A/58/364.
[10] A/58/294.
[11] A/57/747 and Corr.1.